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COOLEY LLP ATTN: Patent Group Suite 1100 777 - 6th Street, NW Washington, DC 20001			ZHAO, DAQUAN	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/727,710	<b>Applicant(s)</b> HERZ, WILLIAM SAMUEL	
	<b>Examiner</b> DAQUAN ZHAO	<b>Art Unit</b> 2484	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 November 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 and 24-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 24-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/03/2010 has been entered.

### ***Response to Arguments***

2. Applicant's arguments filed 11/03/2010 have been fully considered but they are not persuasive.

Applicant argues, see page 6 of the remark, Sturgeon fails to teach multiple presentation settings are coordinated with respective ones of multiple portions of an audio/video program, such that the multiple presentation settings are “synchronized” with respective ones of the multiple portions of the audio/video program during a subsequent playback session of the audio/video program. The Examiner disagrees.

Claim 1 does not require “multiple presentation settings are coordinated with respective ones of multiple portions of an audio/video program, such that the multiple presentation settings are “synchronized” with respective ones of the multiple portions of the audio/video program during a subsequent playback session of the audio/video program.” Claim 1 only requires “selectively apply said first presentation settings to

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respective ones of said first portions of said audio/video program, such that said first presentation settings are synchronized with respective ones of said first portions of said audio/video program during said subsequent playback session for said first user"; "selectively apply said second presentation settings to respective ones of said second portions of said audio/video program, such that said second presentation settings are synchronized with respective ones of said second portions of said audio/video program during said subsequent playback session for said second user". The first settings and the second settings do not need to be applied to the first portions and the second portions, respectively, **at the same time**. Column 6, lines 3-9 of Sturgeon teaches, "...the present invention provides an innovative mechanism for allowing the altering of user preferences without interrupting the playback of a title..." This teaching can be interpreted as different user preferences (setting from the same user or different user) can be applied to different portions of the video title at a different time (during the playback of a title).

A specific setting from a user or a content provider can be applied to play back of the program and then the setting can be changed by a same or different user during a subsequent playback reads on the claim. The examiner considers first (or second) presentation settings are synchronized with respective ones of the said first (or second) portions corresponds to "when settings are applied to a portion the audio/video", as taught by column 6, lines 52-65, "...In addition, the API 420 also provides a methodology for **applying** the user preferences set through the DVD preferences module 404...", These setting are **Brightness, contrast, hue and saturation** as

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disclose in column 6, lines 52-65, **parental level**, as disclose in column 6, line 1-8 and **alternate audio tracks, multiple languages, parental level information** as disclosed in column 6, lines 10-16. In addition, when applying the setting, such as brightness, contrast, hue saturation, language, parental level, the API 420 must control the display of the video using these specific values of brightness, contrast, hue saturation, language, parental level. Therefore, these settings: brightness, contrast, hue saturation, language, and parental level are synchronized with the title portion of the video program selected.

A DVD title has plurality of frames, the examiner considers frames being playback using the content provider (or a current user, see column 4, lines 20-30, for current user preference and new (user) preference, Column 6, lines 3-9 of Sturgeon teaches, "...the present invention provides an innovative mechanism for allowing the altering of user preferences **without interrupting the playback** of a title...") preferences before altering corresponds to the claimed multiple "first portions" of the video. Claim 1 does not exclude the possibility of the same multiple settings (Brightness, contrast, hue, saturation, parental level, multiple languages) can apply to frames being playback before these settings are altered. The same multiple settings (Brightness, contrast, hue, saturation, parental level, multiple languages) can apply to each and every frames, respectively, during the playback before user change these settings.

First, "these selections are merely transient, in that they would not persist from one viewing session to the next", Sturgeon, col. 6, lines 18-20. This teaching of

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Sturgeon does not exclude settings can be applied to (synchronized with) a session of the video. Claim 1 only requires applying first presentation setting to first portions of the audio/video program; applying the second presentation setting to the second portions of the audio/video program. The first setting and the second setting do not need to be applied to the first portion and the second portion, respectively, at the same time.

Second, Figs 5A and 5B are exemplary embodiment of the IOSD 418 and its sub-menu options, column 8, lines 16-18. and IOSD 418 is used by user(s) to find a particular portion of a title or select a title and **pass along** user preferences (settings) to the selected title or portion of a title, column 6, lines 63-65. "pass along" is considered by the Examiner as **to apply** user preferences settings to the selected title or portion of a title. The examiner considers first (or second) presentation settings are synchronized with respective ones of the said first (or second) portions corresponds to "when settings are applied to a portion the audio/video".

### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-6, 8-9 and 24-26 are rejected under 35 U.S.C. 101 because claims are directed non-Statutory subject matter.

For claim 1, the body of the claim recites "a preferences module" and "a presentation module". Both modules can be interpreted as program per se in view of paragraph 18 of the specification of the instant application. Since the body of the claim

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only recites program per se, the Examiner interpret claim 1 as program per se, which is non-statutory subject matter. (Data structures not claimed as embodied in computer-readable media are descriptive material per se and are not statutory because they are not capable of causing functional change in the computer. See, e.g., *Warmerdam*, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory). Such claimed data structures do not define any structural and functional interrelationships between the data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory. Similarly, computer programs claimed as computer listings per se, i.e., the descriptions or expressions of the programs, are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. See *Lowry*, 32 F.3d at 1583-84, 32 USPQ2d at

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1035. Accordingly, it is important to distinguish claims that define descriptive material per se from claims that define statutory inventions.)

Claims 2-6, 8-9 and 25-26 are also affected.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sturgeon et al (US 6,064,385) and further in view of Schoner et al (US 6,493,506 B1).

For claim 1, Sturgeon et al teach an apparatus to process an audio/video program (e.g. abstract, a DVD title corresponds to the claimed "an audio/video program") comprising:

a preference module (e.g. figure 4, column 6, lines 52-65, DVD Preferences APPLET) configure to

coordinate specification, by a first user, of multiple, first presentation settings with respective ones of multiple, first portions of said audio/video program (e.g. abstract, column 4, lines 20-31 and column 6, lines 9-26, A) "a content provider typically provides a set of various parameters that relate the playback of a title", the Examiner consider the "a content provider" corresponds to the claimed first user, or It would have been obvious to one ordinary skill in the art that different users can change the



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preferences because the functions of the system of Sturgeon et al are the same, and the same procedure can be repeated by the same or different user to set his/her preferences. B) "These setting may be selected for a title during its playback on the fly through various on-disc menus provider by the content provider", These setting are **Brightness, contrast, hue and saturation** as disclose in column 6, lines 52-65, **parental level**, as disclose in column 6, line 1-8 and **alternate audio tracks, multiple languages, parental level information** as disclosed in column 6, lines 10-16 corresponds to the claimed multiple presentation settings. C) A DVD title has plurality of frames, the examiner considers **frames being playback** using the content provider preferences (or a current user preferences, see column 4, lines 20-30, for current user preference and new (user) preference, Column 6, lines 3-9 of Sturgeon teaches, "...the present invention provides an innovative mechanism for allowing the altering of user preferences **without interrupting the playback** of a title..." ) before altering corresponds to the claimed multiple "first portions" of the video. Claim 1 does not exclude the possibility of the same multiple settings (Brightness, contrast, hue, saturation, parental level, multiple languages) can be applied to **frames being playback** before these settings are altered. The same multiple settings (Brightness, contrast, hue, saturation, parental level, multiple languages) can be applied to each and every frames, respectively, during the playback before user change these settings. D) **frames being playback** after the preference settings are altered (by a different user or a different user from the content provider) without interrupting the playback of a DVD title corresponds to the claimed "second portions") and

coordinate specification, by a second user, of multiple (e.g. abstract, column 4, lines 20-31 and column 6, lines 9-26, user alters the content provider preferences to his/her user-specific-preferences setting corresponds to the second user or It would have been obvious to one ordinary skill in the art that different users can change the preferences because the functions of the system of Sturgeon et al are the same, and the same procedure can be repeated by the same or different user to set his/her preferences.), second presentation settings with respective ones of multiple, second portions of said audio/video program (e.g. column 4, lines 20-31 and column 6, lines 9-26. A DVD title has plurality of frames. The examiner considers **Frames** being playback after the preference settings are altered (by a different user or a different user from the content provider) without interrupting the playback of a DVD title corresponds to the claimed "second portions"). Claim 1 does not exclude the possibility of the same multiple settings (Brightness, contrast, hue, saturation, parental level, multiple languages) can apply to frames being playback after these settings are altered. The same multiple settings (Brightness, contrast, hue, saturation, parental level, multiple languages) can apply to each and every frames, respectively, during the playback after user change these settings) and

a presentation module (e.g. figure 4, column 6, lines 52-65, DVDCS module 416) coupled to said preferences module, said presentation module being configured to, during a subsequent playback session of said audio/video program for said first user (e.g. column 6, lines 9-26 and lines 51-65, a content provider typically provides a set of various parameters that relate the **playback** of a title and column 6,

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lines 2-5, "...the present invention provides an innovative mechanism for allowing the altering of user preferences **without interrupting the playback** a title),

selectively apply said first presentation settings to respective ones of said first portions of said audio/video program, such that said first presentation settings are synchronized with respective ones of said first portions of said audio/video program during said subsequent playback session for said first user (e.g. the examiner considers first (or second) presentation settings are synchronized with respective ones of the said first (or second) portions corresponds to "when settings are applied to a portion the audio/video", as taught by column 6, lines 52-65, "...In addition, the API 420 also provides a methodology for **applying** the user preferences set through the DVD preferences module 404...", These setting are **Brightness, contrast, hue and saturation** as disclose in column 6, lines 52-65, **parental level**, as disclose in column 6, line 1-8 and **alternate audio tracks, multiple languages, parental level information** as disclosed in column 6, lines 10-16. In addition, when applying the setting, such as brightness, contrast, hue saturation, language, parental level, the API 420 must control the display of the video **using** these specific values of brightness, contrast, hue saturation, language, parental level. Therefore, these settings: brightness, contrast, hue saturation, language, and parental level are synchronized with the title portion of the video program selected; The claim does not require the first setting and the second setting to be applied to the first portion and the second portion, respectively, **at the same time**. Column 6, lines 3-9 of Sturgeon teaches, "...the present invention provides an innovative mechanism for allowing the altering of user preferences without

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interrupting the **playback** of a title...” This teaching can be interpreted as different users preferences (setting from the same user or different user) can be applied to different portion of the video title at a different time (during the playback of a title), and

during a subsequent playback session of said audio/video program for said second user (e.g. column 6, lines 9-26 and lines 51-65, a content provider typically provides a set of various parameters that relate the playback of a title and column 6, lines 2-5, "...the present invention provides an innovative mechanism for allowing the altering of user preferences without interrupting the playback a title),

selectively apply said second presentation settings to respective ones of said second portions of said audio/video program, such that said second presentation settings are synchronized with respective ones of said second portions of said audio/video program during said subsequent playback session for said second user (e.g. the examiner considers first (or second) presentation settings are synchronized with respective ones of the said first (or second) portions corresponds to “when settings are applied to a portion the audio/video”, as taught by column 6, lines 52-65, “...In addition, the API 420 also provides a methodology for **applying** the user preferences set through the DVD preferences module 404...”, These setting are **Brightness, contrast, hue and saturation** as disclose in column 6, lines 52-65, **parental level**, as disclose in column 6, line 1-8 and **alternate audio tracks, multiple languages, parental level information** as disclosed in column 6, lines 10-16. In addition, when applying the setting, such as brightness, contrast, hue saturation, language, parental level, the API 420 must control the display of the video using these

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specific values of brightness, contrast, hue saturation, language, parental level.

Therefore, these settings: brightness, contrast, hue saturation, language, and parental level are synchronize with the title portion of the video program selected; Figs 5A and 5B are exemplary embodiment of the IOSD 418 and its sub-menu options, column 8, lines 16-18. and IOSD 418 is used by user(s) to find a particular portion of a title or select a title and **pass along** user preferences (settings) to the selected title or portion of a title, column 6, lines 63-65. "pass along" is considered by the Examiner as **to apply** user preferences settings to the selected title or portion of a title. The examiner considers first (or second) presentation settings are synchronized with respective ones of the said first (or second) portions corresponds to "when settings are applied to a portion the audio/video").

Sturgeon et al do not further disclose a first attribute of said first user; and second attribute of said second user; based on said first attribute of said first user, retrieve said first presentation settings for said first user, and based on said second attribute of said second user, retrieve said second presentation settings for said second user. Schoner et al teach a first attribute of said first user; and second attribute of said second user; based on said first attribute of said first user, retrieve said first presentation settings for said first user, and based on said second attribute of said second user, retrieve said second presentation settings for said second user (e.g. abstract, column 3, lines 21-30 user identification field identifies a specific settings for a specific user corresponds to the claimed "attribute"). It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the teaching of

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Schoner into the teaching of Sturgeon to allow user conveniently view presentation without having to reselect viewing and listening preferences (Schoner, column 2, lines 5-16).

For claim 3, Sturgeon teaches at least **one of** said first set of presentation setting and said second set of presentation settings corresponds to one of an audio setting and a display setting (e.g. figure 5B column 8, lines 51-65, audio language, or display aspect ratio).

For claim 4, Sturgeon teaches said audio setting corresponds to **one of** an audio channel setting, an audio field setting, an audio format setting, a dynamic range setting, a language setting, a pitch setting, a playback speed setting, a tone setting, and a volume setting (e.g. column 4, lines 31-41, figure 5B column 8, lines 51-65, audio language).

For claim 5, Sturgeon teaches said display setting corresponds to **one of** a brightness setting, a black and white setting, a contract setting, a color setting, a fast motion setting, a flicker setting, a gamma setting, a hue setting, a letter box setting, a non-square zoom setting, a pan and scan setting, a pillar-box setting, a pixel blurring setting, a pixel sharpening setting, a red-eye setting, a slow motion setting, and a zoom setting (e.g. column 6, lines 52-65, brightness).

For claim 6, Sturgeon teaches preference module is configured to coordinate storage of said first set of presentation settings for said first user, and said preferences module is configured to coordinate storage of said second set of presentation settings for said second user (e.g. column 4, lines 20-31, persistent medium corresponds to

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storage, and the current user preference value and the new user preference value are stored to the persistent medium).

For claim 7, Sturgeon teaches a memory coupled to said preferences modules and said presentation module, said memory being configured to store said first set of presentation setting for said first user and said second set of presentation setting for said second user (e.g. column 7, lines 25-40, system registry 406; column 4, lines 20-31, persistent medium corresponds to storage, and the current user preference value and the new user preference value are stored to the persistent medium).

For claim 8, Sturgeon teaches coordinate said specification of said first set of presentation settings with said first set of portions of said audio/video program based on input by said first user during initial playback of said audio/video program (e.g. abstract, column 4, lines 20-31, column 6, lines 9-26, content provider typically provides a set of various parameters that relate the playback of a title. For the "initial playback", the first time the DVD is played back, the setting from the content provider are available for the title).

For claim 9, Sturgeon teaches coordinate said specification of said first set of presentation settings with said second set of portions of said audio/video program based on input by said second user during initial playback of said audio/video program (e.g. abstract, column 4, lines 20-31, column 6, lines 1-9 , "the present invention provides an innovative mechanism for allowing the altering of user preferences without interrupting the playback of a title, also see column7, lines 26-40, also the playback of a

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title includes the initial playback; column 6, lines 9-26, content provider typically provides a set of various parameters that relate the playback of a title).

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sturgeon et al (US 6,064,385) and Schoner et al (US 6,493,506 B1), as applied to claims 1, 3-9 above, and further in view of Durden et al (US 2004/ 0,261,099 A1).

see the teaching of Sturgeon and Schoner above.

**For claim 2**, Sturgeon and Schoner do not further disclose coordinate said specification of said first presentation settings with respective ones of said first portions of said audio/video program based on multiple, first time stamps associated with said first portions of said audio/video program, and said preferences module is configured to coordinate said specification of said second presentation settings with respective ones of said second portions of said audio/video program based on multiple, second time stamps associated with said second portion of said audio/video program. Durden et al teach coordinate said specification of said first presentation settings with respective ones of said first portions of said audio/video program based on multiple, first time stamps associated with said first portions of said audio/video program, and said preferences module is configured to coordinate said specification of said second presentation settings with respective ones of said second portions of said audio/video program based on multiple, second time stamps associated with said second portion of said audio/video program (paragraphs [0072]-[0076], each time stamp indicates the change of rating). It would have been obvious to one ordinary skill in the art at the time



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the invention was made to incorporate the teaching of Durden et al into the teaching of Sturgeon and Schoner for user to more easily and effectively choose the types of television programs to which they and/or their children are exposed (e.g. Durdent et al, paragraph 3).

6. Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sturgeon et al (US 6,064,385) and Schoner et al (US 6,493,506 B1), as applied to claims 1, 3-9 above, and further in view of Fleming et al (US 7,158,158).

For claim 24, Sturgeon et al and Schoner et al do not further disclose (a) coordinate specification, by said first user, of a first display setting with a first video frame of said audio/video program, and (b) coordinate specification, by said first user, of a second display setting with a second video frame of said audio/video program, and during subsequent playback session of said audio/video program for said first user, apply said first display setting and said second display setting to said first video frame and said second video frame, respectively.

Fleming et al teach (a) coordinate specification, by said first user (e.g. column 7, lines 34-37, user can adjust the scaling according to the user's preferences), of a first display setting with a first video frame of said audio/video program (e.g. column 6, lines 45-48, "Each frame of video image is nonlinearly scaled according to embodiments of the present invention...", Each frame of the video image in a movie include a the first video frame and the second video frame), and (b) coordinate specification, by said first user, of a second display setting (e.g. column 7, lines 34-37, user can adjust the scaling

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according to the user's preferences) with a second video frame of said audio/video program (e.g. column 6, lines 45-48, "Each frame of video image is nonlinearly scaled according to embodiments of the present invention...", Each frame of the video image in a movie include a the first video frame and the second video frame), and during subsequent playback session of said audio/video program for said first user (e.g. column 2, lines 23-25, a circuit is integrated with a display device for scaling different video signals of different aspect ratio, the Examiner consider "display" of the video corresponds to the "subsequent playback session of video), apply said first display setting and said second display setting to said first video frame and said second video frame, respectively (e.g. column 2, lines 3-18, column 7, lines 34-37, user can specify nonlinear scaling for regions of interest of different frames, which can include the first and second frame of the video program). It would have been obvious to one ordinary skill in the art at the time of the invention was made to incorporate the teaching of Fleming et al into the teaching of Sturgeon et al and Schoner et al to maintain the original aspect ratio in an area of interest (e.g. at the center of the image) and gradually stretch the image in other area. Thus, the image in the area of interest is presented in the target display area with reduced distortion or with no distortion (e.g. Fleming et al column 4, lines 38-45).

For claim 25, Sturgeon et al and Schoner et al do not further disclose said first display setting and said second display setting are associated with different scaling factors. Fleming et al teach said first display setting and said second display setting are associated with different scaling factors (e.g. column 2, lines 3-11, different scaling

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factors). It would have been obvious to one ordinary skill in the art at the time of the invention was made to incorporate the teaching of Fleming et al into the teaching of Sturgeon et al and Schoner et al to maintain the original aspect ratio in an area of interest (e.g. at the center of the image) and gradually stretch the image in other area. Thus, the image in the area of interest is presented in the target display area with reduced distortion or with no distortion (e.g. Fleming et al, column 4, lines 38-45).

For claim 26, Sturgeon et al and Schoner et al do not further disclose said first display setting and said second display setting are associated with different aspect ratios. Fleming et al teach said first display setting and said second display setting are associated with different aspect ratios (e.g. column 2, lines 23-25). It would have been obvious to one ordinary skill in the art at the time of the invention was made to incorporate the teaching of Fleming et al into the teaching of Sturgeon et al and Schoner et al to maintain the original aspect ratio in an area of interest (e.g. at the center of the image) and gradually stretch the image in other area. Thus, the image in the area of interest is presented in the target display area with reduced distortion or with no distortion (e.g. Fleming et al, column 4, lines 38-45).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daquan Zhao/

Examiner, Art Unit 2484